

IFW/B



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Brian S. McCain

**Examiner:** Joseph O Schell

**Serial No.:** 10/716,961

**Art Unit:** 2114

**Filed:** November 19, 2003

**Docket:** TUC920030127US1 (16990)

**For:** ERROR RECOVERY IN A  
CLIENT/SERVER APPLICATION USING TWO  
INDEPENDENT SOCKETS FOR COMMUNICATION

**DATED:** June 29, 2007

**Confirmation No.** 7679

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Applicant's Comment on Examiner's Comments in the Notice of Allowability**

The Notice of Allowability mailed April 5, 2007 includes an Examiner's Comment, which states, "In the examination of this case, the use of 'socket' within the claims has been interpreted by the examiner, in view of the overwhelming evidence found in the specification, as referring to network sockets and not physical sockets."

It is not entirely clear what the term "physical sockets" would cover. Thus, Applicant notes that the above Examiner's comment should not be used to limit the scope of the claims and their equivalents, determined under proper interpretation in light of the specification and other intrinsic and extrinsic material.

Respectfully submitted,

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